

Notice of Allowability

Application No.

10/677,711

Examiner

Eric K Nicholson

Applicant(s)

GAVIN, NORMAN W.

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 10-2-03 and the examiner's amendment of 7-9-04.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 02 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10-2-03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Eric K Nicholson
Primary Examiner
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Part III EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

The application has been amended as follows:

In the second to last line of each of claim 1, claim 2 and claim 3, the phrase **“by the front of said wall”** was deleted for clarity.

In claim 2, lines 12-13, the phrase **“a plurality of ridges, each ridge of said plurality of ridges extending axially and radially from said ring”** was deleted as being an improper double inclusion since the ridges are already claimed as extending from the first annular surface.

Claims 4 and 5 were added as follows:

4. The septic system fluid distribution box seal assembly of claim 1 further including a plurality of grip ridges, each grip ridge of said plurality of grip ridges extending axially and radially from said ring.

5. The septic system fluid distribution box seal assembly of claim 2 further including a plurality of grip ridges, each grip ridge of said plurality of grip ridges extending axially and radially from said ring.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Seeman. on July 9, 2004.

The following is an Examiner's Statement of Reasons for Allowance:
The present invention of a septic system fluid distribution box seal assembly for receiving a pipe there through is deemed to be an unobvious improvement over the prior art of record such as U.S. patent 3,812,910 to Wellstein or U.S. patent 5,129,684 to Lawrence. The improvement includes providing a flexible plastic plate with tear out means to receive a pipe through the plate with the plate sealing around the pipe wherein the plate includes a cylindrical male thread portion engaged by a rigid plastic female threaded ring. A flange portion of the plate which is sloped or angled and resilient enough to be bent axially away from the threads when the ring is screwed toward the flange to clamp the wall between the plate and the ring. Further, the flange of the plate as defined by the claims includes a least a first annular axially extending ridge on its surface facing the wall.

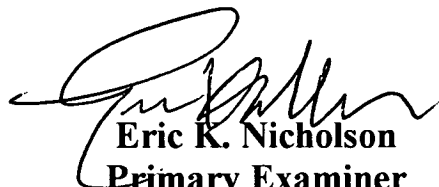
Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00 .

ekn

7/9/04



Eric K. Nicholson
Primary Examiner
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